

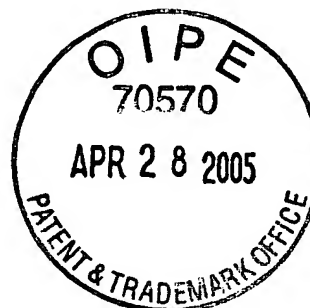
**PATENT**

**ATTORNEY DOCKET NO: CXU-316-CON**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re. Application:	Massia, et al.	)	Art Unit:	1615
		)		
Serial No:	10/809,112	)	Examiner:	Unknown
		)		
Filed:	March 25, 2004	)	Customer No:	22827
		)		
Confirmation No:	8922	)	Deposit Acct. No:	04-1403
		)		
Title:	Polysaccharide-Based Polymerizable	)		
	Hydrogels	)		

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



**REPLY**

Dear Sir:

In response to the Notice Under 37 CFR 1.251 for the above-captioned application dated April 7, 2005, please find enclosed a copy of all documents filed with the Patent and Trademark office on March 25, 2004, including a copy of the Information Disclosure Statement filed March 25, 2004. Copies of the non-patent literature listed on this Information Disclosure Statement were not included with this submission, as a copy of each of these items was previously cited in application having serial number 10/095,722, filed March 12, 2002; relied on under 35 U.S.C. § 120, per Rule 98(d).


In the Notice, a request was made for copies of an Information Disclosure Statement and NPL documents dated May 24, 2004, but the Applicant and their

representative do not possess any record of any other correspondence between the Office and the Applicant for the above-captioned application other than that enclosed herein.

Any fees not included in this correspondence that are necessary may be charged to Deposit Account No. 04-1403.

Respectfully submitted,

DORITY & MANNING, P.A.

  
Christina L. Mangelsen, Patent Agent  
Registration No. 50,244

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Greenville, SC 29602-1449  
Phone: (864) 271-1592  
Facsimile: (864) 233-7342

Date: 4/26/05



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### NOTICE UNDER 37 CFR 1.251 - Pending Application

☐ The file on the cover sheet cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the identified application that is not among applicant's records.

☒ The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

Information Disclosure Statement and NPL Documents dated 05/24/04.



Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

If applicant does not possess any record of the correspondence between the Office and the applicant for the application (or any copy of the paper(s) listed above), applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

**Failure to reply to this notice in a timely manner will result in abandonment of the above-identified application. The three-month period for reply to this notice may be extended (up to a maximum of six months) under the provisions of 37 CFR 1.136(a). However, failure to reply within this three-month period will result in a reduction of any patent term adjustment. See 37 CFR 1.704(b).**

☐ A printout from PALM of the contents of the file of the above-identified application is included with this notice.

Direct the reply to this notice to:

U.S. Patent and Trademark Office  
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P.O. Box 1450  
Alexandria, Virginia 22313-1450

Direct questions concerning this notice to:

Image Assistance Center/ Customer Service

1-(888)-786-0101

PTO Doc Code: R251.NTC (Rev. 03/05)

In re Application of: MASSIA, STEPHEN et al  
Application No.: 10809112  
Filing Date: 03/25/04  
Title: POLYSACCHARIDE-BASED POLYMERIZABLE HYDROGELS

Direct to: U.S. Patent and Trademark Office  
Mail Stop: Duplicates  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**NOTICE UNDER 37 CFR 1.251 – Pending Application**

Statement (check the appropriate box):

☒ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.


☐ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

April 26, 2005

Date

  
Signature

Christina L. Mangelsen, Patent Agent

Typed or printed name

**A Copy of this notice should be returned with the reply.**

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/809,112	03/25/2004	1615	385	CXU-316-CON	1	13	3

22827  
DORITY & MANNING, P.A.  
POST OFFICE BOX 1449  
GREENVILLE, SC 29602-1449



CONFIRMATION NO. 8922

## FILING RECEIPT



\*OC000000012961998\*

Date Mailed: 06/16/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Stephen Massia, Mesa, AZ;  
Julie Trudel, Sunnyvale, CA;  
Julie-Anne M. Burdick, Gilbert, AZ;

## Domestic Priority data as claimed by applicant

This application is a CON of 10/095,722 03/12/2002  
which claims benefit of 60/275,546 03/12/2001

## Foreign Applications

If Required, Foreign Filing License Granted: 06/16/2004

Projected Publication Date: 09/23/2004

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

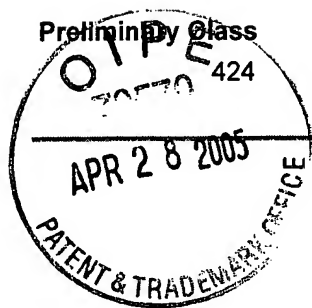
## Title

Polysaccharide-based polymerizable hydrogels

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JUN 21 2004

DORITY AND MANNING



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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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**NOT GRANTED**

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